

**PCT REQUEST**

Original (for SUBMISSION)

<b>0</b>	<b>For receiving Office use only</b>	
<b>0-1</b>	International Application No.	
<b>0-2</b>	International Filing Date	
<b>0-3</b>	Name of receiving Office and "PCT International Application"	
<b>0-4</b>	<b>Form PCT/RO/101 PCT Request</b>	
<b>0-4-1</b>	Prepared Using	PCT-SAFE [EASY mode] Version 3.50 (Build 0002.162)
<b>0-5</b>	<b>Petition</b> The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
<b>0-6</b>	<b>Receiving Office (specified by the applicant)</b>	United States Patent and Trademark Office (USPTO) (RO/US)
<b>0-7</b>	<b>Applicant's or agent's file reference</b>	33508-PC-RBC
<b>I</b>	<b>Title of Invention</b>	TWIST-OPEN CLOSURE HAVING INCLINED FRANGIBLE MEMBRANE
<b>II</b>	<b>Applicant</b>	
<b>II-1</b>	This person is	applicant only
<b>II-2</b>	Applicant for	all designated States except US
<b>II-4</b>	Name	PORTOLA PACKAGING, INC.
<b>II-5</b>	Address	890 Faulstich Court San Jose, California 95112 United States of America
<b>II-6</b>	State of nationality	US
<b>II-7</b>	State of residence	US
<b>II-8</b>	Telephone No.	408-573-2073
<b>II-9</b>	Facsimile No.	408-452-0122
<b>III-1</b>	<b>Applicant and/or inventor</b>	
<b>III-1-1</b>	This person is	applicant and inventor
<b>III-1-2</b>	Applicant for	US only
<b>III-1-4</b>	Name (LAST, First)	MA, Mike, Xiaoli
<b>III-1-5</b>	Address	c/o Portola Packaging, Inc. 890 Faulstich Court San Jose, California 95112 United States of America
<b>III-1-6</b>	State of nationality	US
<b>III-1-7</b>	State of residence	US

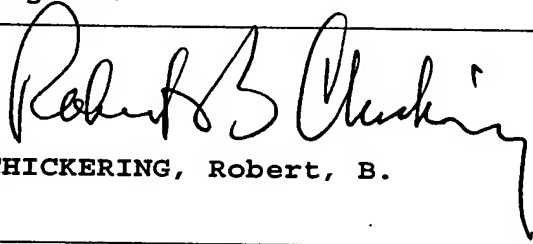
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IV-1	<b>Agent or common representative; or address for correspondence</b> The person identified below is hereby/ has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	<b>agent</b>
IV-1-1	Name (LAST, First)	CHICKERING, Robert, B.
IV-1-2	Address	4 Embarcadero Center, Suite 3400 San Francisco, California 94111 United States of America
IV-1-3	Telephone No.	415-781-1989
IV-1-4	Facsimile No.	415-398-3249
IV-1-6	Agent's registration No.	24,286
IV-2	Additional agent(s)	additional agent(s) with same address as first named agent
IV-2-1	Name(s)	ANANIAN, R., Michael (35,050); BACHAND, Edward, N. (37,085); BREZNER, David, J. (24,744); LORENZ, Todd, A. (39,754); SILVA, Robin, M. (38,304); SWIATEK, Maria, S. (37,244); PEASE, Ann, M. (42,067); TEST, Aldo, J. (18,048); TRECARTIN, Richard, F. (31,801); JOHNSON, Victor, E. (41,546)
V	DESIGNATIONS	
V-1	The filing of this request constitutes under Rule 4.9(a), the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.	
VI-1	Priority claim of earlier national application	
VI-1-1	Filing date	27 October 2003 (27.10.2003)
VI-1-2	Number	60/515,220
VI-1-3	Country	US
VI-2	Priority document request The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s):	VI-1
VII-1	International Searching Authority Chosen	United States Patent and Trademark Office (USPTO) (ISA/US)

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<b>VIII</b>	<b>Declarations</b>	<b>Number of declarations</b>	
VIII-1	Declaration as to the Identity of the inventor	-	
VIII-2	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	-	
VIII-3	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	-	
VIII-4	Declaration of inventorship (only for the purposes of the designation of the United States of America)	-	
VIII-5	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	-	
<b>IX</b>	<b>Check list</b>	<b>number of sheets</b>	<b>electronic file(s) attached</b>
IX-1	Request (including declaration sheets)	4	✓
IX-2	Description	13	-
IX-3	Claims	4	-
IX-4	Abstract	1	✓
IX-5	Drawings	8	-
IX-7	TOTAL	30	
	<b>Accompanying Items</b>	<b>paper document(s) attached</b>	<b>electronic file(s) attached</b>
IX-8	Fee calculation sheet	✓	-
IX-17	PCT-SAFE physical media	-	✓
IX-19	Figure of the drawings which should accompany the abstract	10	
IX-20	Language of filing of the international application	English	
X-1	Signature of applicant, agent or common representative		
X-1-1	Name (LAST, First)	CHICKERING, Robert, B.	
X-1-2	Name of signatory		
X-1-3	Capacity		

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10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/US
10-6	Transmittal of search copy delayed until search fee is paid	

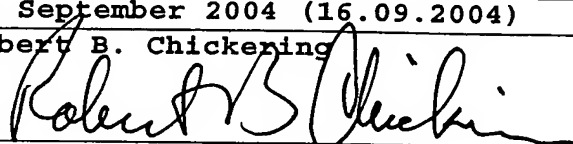
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11-1	Date of receipt of the record copy by the International Bureau	
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**PCT REQUEST (ANNEX - FEE CALCULATION SHEET)**

Original (for SUBMISSION)

(This sheet is not part of and does not count as a sheet of the international application)

0	For receiving Office use only	
0-1	International Application No.	
0-2	Date stamp of the receiving Office	
0-4	Form PCT/RO/101 (Annex)	
0-4-1	PCT Fee Calculation Sheet Prepared Using	PCT-SAFE [EASY mode] Version 3.50 (Build 0002.162)
0-9	Applicant's or agent's file reference	33508-PC-RBC
2	Applicant	PORTOLA PACKAGING, INC.
12	Calculation of prescribed fees	fee amount/multiplier      Total amounts (USD)
12-1	Transmittal fee T	⇒ 300
12-2-1	Search fee S	⇒ 1000
12-2-2	International search to be carried out by	US
12-3	International filing fee (first 30 sheets) I1	1134
12-4	Remaining sheets	0
12-5	Additional amount (X) 0	
12-6	Total additional amount I2	0
12-7	I1 + I2 = I	1134
12-12	EASY Filing reduction R	- 81
12-13	Total International filing fee (I-R) I	⇒ 1053
12-14	Fee for priority document	
	Number of priority documents requested	1
12-15	Fee per document (X) 20	
12-16	Total priority document fee: P	⇒ 20
12-17	TOTAL FEES PAYABLE (T+S+I+P)	⇒ 2373
12-19	Mode of payment	cheque
12-20	Deposit account instructions	
	The receiving Office	United States Patent and Trademark Office (USPTO) (RO/US)
12-20-2	Authorization to charge any deficiency or credit any overpayment in the total fees indicated above	✓
12-21	Deposit account No.	50-2319
12-22	Date	16 September 2004 (16.09.2004)
12-23	Name and signature	Robert B. Chickering 

**TRANSMITTAL LETTER TO THE  
UNITED STATES RECEIVING OFFICE**

Date	16 SEPTEMBER 2004
International Application No.	10/525143
Attorney Docket No.	33508-PC-RBC

**I. Certification under 37 CFR 1.10 (If applicable)**

EV 381 805 619 US
Express Mail mailing number

16 SEPTEMBER 2004
Date of Deposit

I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of person mailing correspondence

Seamus Scanlon
Typed or printed name of person mailing correspondence

**II. ☒ New International Application**

TITLE	TWIST-OPEN CLOSURE HAVING INCLINED FRANGIBLE MEMBRANE
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Earliest priority date (Day/Month/Year)
27 OCTOBER 2003

**SCREENING DISCLOSURE INFORMATION:** In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):

- A. ☐ The invention disclosed was not made in the United States.  
 B. ☐ There is no prior U.S. application relating to this invention.  
 C. ☒ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claim for priority.)

application no.	60/515,220	filed on	27 OCTOBER 2003
application no.		filed on	

- D. ☐ The present international application contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C. above. The additional subject matter is found on pages  and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 CFR 5.1. See 37 CFR 5.15.

**III. ☐ A Response to an Invitation from the RO/US. The following document(s) is (are) enclosed:**

- A. ☐ A Request for An Extension of Time to File a Response  
 B. ☐ A Power of Attorney (General or Regular)  
 C. ☐ Replacement pages:

pages		of the request (PCT/RO/101)	pages		of the figures
pages		of the description	pages		of the abstract
pages		of the claims			

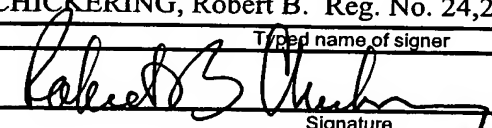
- D. ☐ Submission of Priority Documents

Priority document		Priority document	
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- E. ☒ Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex

**IV. ☐ A Request for Rectification under PCT 91 ☐ A Petition ☐ A Sequence Listing Diskette**

**V. ☐ Other (please specify):**

The person signing this form is the:	<input type="checkbox"/> Applicant	CHICKERING, Robert B. Reg. No. 24,286
	<input checked="" type="checkbox"/> Attorney/Agent (Reg. No.)	Typed name of signer
	<input type="checkbox"/> Common Representative	 Signature

A closure for a container having an opening includes a base cap and an overcap that form a sealed chamber adjacent the opening that isolates from the contents of the container. The base cap includes an outer skirt having container-engaging structure, a cylindrical well, a frangible membrane connected to the well along an inclined line of weakness and by a hinge member. The hinge member includes a pocket extending downward adjacent lower and upper terminuses of the line of weakness. The overcap includes a body having gripping structure, an inner skirt received within and rotatably connected to the well, and a cutting member depending from a lower end of the inner skirt received within the pocket such that the cutting member extends below the upper terminus. The cutting member severs the line of weakness upon substantial rotation of the overcap with respect to the base cap. A method of using the closure is also disclosed.

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